

MEMORANDUM ENDORSED



GEORGIA M. PESTANA
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

USDC SDNY
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June 28, 2021

BY ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street, Room 12C
New York, NY 10007

Re: Akinde v. New York City Health and Hospitals Corp.
16 Civ. 8882 (GHW)

Dear Judge Woods:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, assigned to represent Defendant in the above-referenced action. I write to respectfully request a 30-day extension of time, from June 29, 2021 to July 29, 2021, for Defendant to serve and file its reply to Plaintiff *pro se*'s opposition to Defendant's motion for summary judgment. This is Defendant's first request for an extension of time to file its reply.

This extension is necessary in light of issues with service and filing of Plaintiff's opposition to Defendant's motion. By e-mail dated June 23, 2021, I informed Plaintiff *pro se* that there were discrepancies in the documents he sent to me by e-mail on June 15, 2021 and the documents that were filed on ECF on June 15, 2021. Specifically, on June 15, 2021, Plaintiff sent to me approximately 100 emails attaching approximately 99 different documents, along with several duplicative documents. Such documents appear to include various responses to Defendant's 56.1 Statement, as well as exhibits non-consecutively labeled numbers 7 through 165. However, the documents filed on Plaintiff's behalf on ECF on June 15, 2021 consist of a cover letter and exhibits and errata numbered 1 through 100. See ECF Doc. No. 123.

By letter dated June 23, 2021 (ECF Doc. No. 23), Plaintiff *pro se* represented to the Court that on June 15, 2021, he emailed to me all of the documents he intended to submit in opposition to Defendant's motion. In addition, Plaintiff represented that all of the documents he had sent by email to the undersigned had also been sent to SDNY's Pro Se Intake Unit. In light of this, and Plaintiff's representations, by email dated June 28, 2021, I requested that Plaintiff re-

submit to the Pro Se Intake Unit all of the documents he intended to submit in opposition to Defendant's motion. I additionally conveyed to Plaintiff that I could not be certain that I had received all of the documents that he intended to serve or file. Plaintiff declined to re-submit the documents.

Defendant therefore respectfully requests additional time to prepare its reply to Plaintiff's opposition so that Plaintiff may resolve the discrepancies in filing and service. In addition, Defendant respectfully requests that the Court direct Plaintiff to re-submit the documents he intends to submit in opposition to Defendant's motion to the Pro Se Intake Unit. Plaintiff does not consent to this request for the following reasons:

I sent you all the documents I intended to send you. I forwarded the same documents I sent to the courts to you. All the documents were produced to me by Mr. Yaqoob. Your complaint of sending you more documents I sent to the court and now complaining about receiving inadequate documents. Please reconcile with the court's documents you claimed were not completely uploaded. Your response is due tomorrow and deemed too late to be asking for an extension. I will oppose the extension you are requesting.

There was not any delay in filing on my part. I filed on June 15, 2021, a day earlier. I will oppose your extension. I have no new documents to send to you.

Thank you for your consideration of this request.

Respectfully submitted,

/s/
Laura C. Williams
Assistant Corporation Counsel

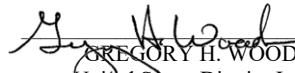
cc: Oludotun Akinde (By Email and First-Class Mail)
Plaintiff *Pro Se*
485 East Lincoln Avenue, Apt. 216
Mount Vernon, NY 10552

Application granted. The deadline for Defendant to file its reply is extended to July 29, 2021.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 126.

SO ORDERED.

Dated: June 28, 2021
New York, New York


GREGORY H. WOODS
United States District Judge